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Sheet 1 of 1 Attorney Docket Number SPINE 3.0-2678

Complete if Known

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| Application Number | 10/004,969 |
| Filing Date | December 3, 2001 |
| First Named Inventor | Stephen Bresina |
| Art Unit | 3732 |
| Examiner Name | P. Philogene |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| OPH | AA | US-5,429,863 | 07-04-1995 | Mcmillin, Carl R. | |

| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | |
| PH | BA | EP-0 880 950-A | 12-02-1998 | Biomat | |
| | BB | FR-2 813 519-A | 03-08-2002 | Eurosurgical | |
| | BC | WO-02/17823-A | 03-07-2002 | Kim, Byung Soo | |

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| Examiner Signature | Pedro Philogene | Date Considered | 7/13/05 |
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